



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 060953-0127

#7
09-04-02
GW

RECEIVED

DEC 07 2001
TECHNOLOGY CENTER R3700

Applicant: Fred SAVRIJ-DROSTE et al.

Title: BEVERAGE CONTAINER

Appl. No.: 09/806,026

Filing Date: 09/13/2001

Examiner: Unassigned

Art Unit: 3727

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

RECEIVED

SEP 10 2002
TC 1700

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



TIMING OF THE DISCLOSURE

RECEIVED
DEC 07 2001
TECHNOLOGY CENTER R3700

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

RECEIVED
SEP 03 2002
TC 1700

Documents A2-A5 came to Applicants' attention during a search of the corresponding International application. A copy of the International search report setting forth the portion of each reference considered relevant by the examiner is attached.

Document A6 relates to a product comprising pressurized container containing ready-to-drink dairy beverage with long shelf life.

Document A9 relates to packing or container for drinks with gas under pressure.

English translations of the foreign-language documents are not readily available. However, the absence of such translations does not relieve the PTO from its duty to consider the submitted documents (37 CFR §1.98 and MPEP §609). English language abstracts are attached.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be

Appl. No. 09/806,026

enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

December 4, 2001

Date

FOLEY & LARDNER

Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5404

Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768

RECEIVED
SEP 03 2002
TC 1700